

ARTICLE __: To see if the Town will vote to amend Section VII of the Zoning Bylaw in order to establish the Route 20 Overlay District, as follows:

Part I: Insert the following Section VII.N. Route 20 Overlay District

N. ROUTE 20 OVERLAY DISTRICT

1. Purposes and Intent

The purposes of the Route 20 Overlay District are to:

- a. Encourage development that provides economic and fiscal benefits to the Town;
- b. Provide flexibility to develop an organized mix of office, retail, and compatible light industrial and other uses in a manner that is aesthetically pleasing from the vantage points of Route 20, adjacent uses and surrounding neighborhoods;
- c. Promote distinctive, non-formulaic architecture and site designs along Route 20;
- d. Prevent big-box development and its associated impacts;
- e. Facilitate shared access and appropriate links to adjoining properties, thereby reducing the need for curb cuts and improving traffic safety on Route 20; and
- f. Encourage landscape designs and landscape treatments that create a parkway effect and functionally contribute to traffic calming along Route 20.

2. Applicability

The Route 20 Overlay District applies to the Commercial Business and Limited Industrial Districts along Route 20, as shown on the ROUTE 20 OVERLAY DISTRICT map dated August 31, 2005, on file with the Town Clerk. The Route 20 Overlay District Map amends and is hereby made part of the Official Zoning Map of the Town of Shrewsbury. As an overlay, it provides for flexible development options that do not exist in the underlying districts.

3. Use Regulations

- a. The following uses are permitted in the Route 20 Overlay District, provided they comply with Section N(7):
 - 1) Business or professional office.
 - 2) Banks.
 - 3) Banking machines, where public access is only available from within a building and is operated in connection with other uses in the same building.
 - 4) Retail store or service establishment, up to 15,000 square feet of gross floor area.
 - 5) Restaurant or other place for serving food within the structure, excluding drive-through service.

- 6) Medical buildings, charitable institutions, and non-profit research laboratories and accessory uses thereto.
- 7) Accessory uses customarily incidental to a permitted use.
- b. Uses and Structures Allowed by Special Permit

The Planning Board may grant a Special Permit for the following uses in accordance with Section N(6).

- 1) Large retail development (any retail establishment exceeding 15,000 square feet of gross floor area), subject to Section N(9).
- 2) Cinema or Theatre.
- 3) Gasoline Service Stations, or Gasoline Service Stations with Related Uses, located not more than 500 feet from a signalized intersection; subject to Table 1, footnote 9.
- 4) Auditoriums, athletic facilities, health clubs, and other places of amusement or public assembly where activities take place inside the building.
- 5) Medical clinic.
- 6) Assisted living residence.
- 7) Campus-style office or light industrial development, excluding warehouse except as an accessory use.
- 8) Manufacturing and accessory retail.
- 9) Drive-through food service establishment.
- 10) Accessory uses customarily incidental to a Special Permitted use.
- c. Prohibited Uses

The following uses are prohibited in the Route 20 Overlay District and any underlying districts, notwithstanding the provisions of Section VI Table I of this Bylaw:

- 1) Adult bookstore, adult motion picture theater, adult paraphernalia store, adult video store, or establishment which displays live nudity for its patrons.
- 2) Any use which will produce a nuisance or hazard from fire or explosion, toxic or corrosive fumes, gas, smoke, odors, obnoxious dust or vapor, harmful radioactivity, offensive noise or vibration, flashes, objectionable effluent or electrical interference which may affect or impair the normal use and peaceful enjoyment of any property, structure or dwelling in the Town.
- 3) Any use not explicitly provided for in this Bylaw.
- d. Use variances shall not be granted in the Route 20 Overlay District.

4. Site Plan Approval

Section VII.F(3) of this Bylaw shall apply to all uses in the Route 20 Overlay District. In addition to the approval criteria under Section VII.F(3)(h), the Planning Board shall base its decision on the degree to which a proposed development conforms to the Route 20 Overlay District Development Regulations in N(7) hereunder.

5. Dimensional and Intensity Regulations

- a. Uses in the Route 20 Overlay District shall comply with the following requirements:

Minimum Lot Area:	80,000 square feet, except that where the Overlay District does not exceed 600 feet in depth from the centerline of Route 20, the minimum lot area shall be 40,000 square feet
Minimum Frontage:	150 feet
Yard Setbacks	
Minimum Front Yard Setback:	25 feet
Maximum Front Yard Setback:	40 feet; in a development with more than one building on a single parcel, the maximum front yard setback shall apply to the principal building closest to the street.
Minimum Side Yard Setback:	25 feet
Minimum Rear Yard Setback:	25 feet; except 50 feet abutting a residential area
Minimum Open Space % Lot Area:	25%
Maximum Lot Coverage:	35%
Maximum Impervious Coverage:	65%
Maximum Height:	40 feet
Maximum Number of Stories:	3 stories

- b. Permitted Alternatives

The following alternatives to N(5)(a) may be permitted, subject to Site Plan Approval:

- 1) A reduction in the minimum side yard setback to 0 feet on common interior lots in order to accommodate zero lot line design. Equivalent open land equal to the area required to comply with the minimum side yard setback shall be provided elsewhere on the site in locations approved by the Planning Board.

- 2) An increase in maximum impervious coverage to 70% provided that the side or rear yard buffer is increased by two feet for every 1% increase in coverage.
- 3) A reduction in frontage to not less than 50 feet for a development that provides consolidated or shared access to Route 20 for three or more adjoining parcels.

c. Alternatives Allowed by Special Permit

The Planning Board may grant a Special Permit for the following alternatives to N(5)(a):

- 1) An increase in the maximum front yard setback to the extent necessary to accommodate Best Management Practices for sustainable stormwater management and no other commercially reasonable option exists on the site.
- 2) An increase in height for a campus-style office or light industrial development up to 55 feet. In granting a Special Permit for this purpose, the Planning Board may require additional setbacks, stepping-down of building elevations, visual buffering, screening, and/or other appropriate measures to provide a height transition between the development and adjacent uses. The Planning Board may also require the applicant to provide off-street parking below grade.
- 3) An increase in the maximum floor area of an individual retail establishment from 15,000 to not more than 80,000 square feet of floor area, provided that the structure in which it is located contains two or more establishments, at least two occupiable full stories, and not more than 65,000 square feet of floor area on any one floor.
- 4) A change in coverage or height requirements when necessary and appropriate to accommodate one or more renewable energy sources in the development.

6. Special Permits in the Route 20 Overlay District

- a. The Special Permit Granting Authority (SPGA) in the Route 20 Overlay District shall be the Planning Board. The application, review, decision and appeal procedures shall be in accordance with G.L. c.40A, Section 9 and Section IX of this Bylaw, and applicable regulations of the Planning Board.
- b. Special Permit Granting Criteria. The Planning Board may grant a Special Permit upon finding that the application complies with the purposes of this Section, to the degree consistent with a reasonable use of the site. In making its decision, the Planning Board shall not issue a Special Permit unless it determines that the proposed development:
 - 1) Conforms to all requirements of the Zoning Bylaw;
 - 2) Provides adequate space for vehicular access to the site and off-street parking and loading/unloading on the site;

- 3) Provides adequate water supply and distribution for domestic use and fire protection;
- 4) Provides adequate methods of storage and disposal for sewage, refuse and other wastes resulting from the uses permitted on the site and the methods of drainage or retention of surface water; and
- 5) Could not reasonably be altered to:
 - (a) Achieve greater consistency with the Route 20 Overlay District Design Standards in Section N(8) of this Bylaw;
 - (b) Improve protection for adjoining premises against detrimental or offensive uses on the site;
 - (c) Improve safety for vehicular and pedestrian movement within the site and in relation to adjacent ways and land;
 - (d) Reduce stormwater runoff through best management practices or increase groundwater recharge; and
 - (e) Improve water conservation.
- 6) For Large Retail Development, the Planning Board shall further find that the proposed development complies with Section N(9).

7. Development Regulations

To achieve the purposes of this Section, development in the Route 20 Overlay District shall comply with the following regulations unless waived by Special Permit from the Planning Board.

- a. Location and orientation of principal buildings. The front façade of any building with a principal use on a lot with frontage on Route 20 shall be oriented toward Route 20. For developments of two or more buildings or for development on interior lots, buildings shall face the access road that serves them. Buildings may also be oriented around a courtyard or respond in design to a prominent feature, such as a corner location, subject to approval by the Planning Board.
- b. Front yard treatment. The front yard area facing Route 20 shall provide a continuous landscaped edge to the property in question, except for points of entry and exit. Minimum front yard landscaping shall include not less than one canopy tree per 25 linear feet of frontage, located not more than ten feet from the right of way, and shrubs or bushes at a minimum ratio of 12 per tree. Where appropriate and feasible, canopy and ornamental trees, shrubs, planters and groundcover at the edge of Route 20 shall be arranged in groupings that reduce the optical width of the road. However, no landscaping treatments shall be permitted to obstruct clear sight distance.
- c. Multiple buildings on a single lot. The Planning Board may grant a Special Permit for a lot in the Route 20 Overlay District to contain more than one building

with a principal use, provided that the development meets the Route 20 Overlay District Design Standards.

- d. Off-street parking. All off-street parking shall be located to the rear of a building or may be located to the side, provided that no off-street parking is located within 20 feet of the front elevation facing Route 20 except as provided herein. The Planning Board may grant a Special Permit to locate not more than 15% of the required off-street parking spaces within the front yard of a principal building and Route 20 and authorize a change in the maximum front yard setback where essential to accommodate such parking. In granting a Special Permit for this purpose, the Planning Board may impose design, surface treatment, landscaping, lighting and other requirements to mitigate the visual impact of parking areas on views from Route 20, and may regulate the location of the remaining parking as necessary to achieve the purposes of this Section.
- e. Pedestrian safety. Continuous internal pedestrian walkways at least six feet in width shall be provided from the sidewalk, parking lot, public right-of-way or interior access road to the public entrance of all principal buildings on a site. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to building and store entry points, and shall feature adjoining landscaped areas that include trees, shrubs, benches, flower beds, ground covers, or other such materials for no less than 50 percent of their length.
- f. Outdoor storage. Outdoor storage, trash collection or compaction, loading, or other such uses are prohibited within 50 feet of any public or street, public sidewalk, or internal pedestrian way.
- g. Access Management. Wherever feasible, access to lots in the Route 20 Overlay District shall be designed to minimize curb cuts on existing public ways. Shared access may be provided through one or more of the following methods: (a) a cul-de-sac or loop road or common driveway shared by adjacent lots or premises, (b) joint and cross access between the lot and adjacent uses, (c) an existing side or rear street, (d) a cul-de-sac or loop road shared by adjacent lots or premises.
- h. Site plan submission requirements. Site plan applications and procedures shall be in accordance with Section VII.F and the following additional requirements for Site Plan Content:
 - 1) Elevations of all proposed buildings, prepared and stamped by a registered professional architect.
 - 2) A landscaping plan showing the location, name, number and size of plant types, and the locations and elevation and/or height of planting beds, fences, walls, steps and paths, prepared by a registered landscape architect.
- i. Site plan approval criteria. The Planning Board shall approve a Site Plan only upon a determination that the plan meets the requirements of Section VII.F(h) and the following additional criteria:

- 1) Complies with the Route 20 Overlay District Development Regulations under this Section N(7).
 - 2) Enhances the natural environment by preserving mature trees where they exist, reducing the volume of earth materials cut or filled, reducing soil erosion during and after construction and reducing the extent of alteration in the amount, timing and location of stormwater runoff from the site.
 - 3) Contributes to a visually attractive parkway image along Route 20 by providing appropriate front yard landscaping and landscaping between adjoining properties.
 - 4) Complies to the maximum feasible extent with the Route 20 Design Standards in Section N(8).
- j. Landscaping standards. Landscaping shall be comprised primarily of non-invasive, drought-resistant plantings that include trees, flowers, shrubs, succulents and ornamental grasses. High-water use turf shall not exceed 20% of all landscaped areas or open space on the site. Outdoor watering may be achieved by drip irrigation or low-energy spray irrigation, or a comparable water-conserving irrigation system, but sprinkler systems are prohibited unless the applicant can demonstrate to the Planning Board's satisfaction that the proposed system meets acceptable water conservation standards. All outdoor irrigation systems shall be served by a private water supply.

8. Design Standards

The following design standards apply to development in the Route 20 Overlay District and should be addressed in an application for Site Plan Approval.

- a. General. Buildings and landscape treatments, not parking, should serve as the focal points for development along Route 20. They should contribute to a sense of continuity and coherence from Route 20 and distant vantage points.
- b. Size, mass, facades and exterior features. Windows should be recessed and include visually prominent sills, shutters, or similar forms of framing. Windowless buildings with standardized façade treatments are explicitly prohibited. No building shall have more than 100 linear feet of unbroken wall area.
- c. Exterior materials. Exterior materials may include painted clapboard, wood shingles, brick or materials of comparable appearance. Neutral or earth-tone colors are appropriate, but brighter colors may be applied to building trim with approval of the Planning Board. Variations in materials, colors and textures are encouraged when they contribute to the purposes of the Route 20 Overlay District.
- d. Rooflines and roof features. Gabled, stepped, and peaked roofs add variety and interest to buildings and should be incorporated in large developments. A flat or nearly flat roof is prohibited on any building facing Route 20, except that the

Planning Board authorize a flat roof that includes green roof technology with greenroof plants suited for the local climate.

- e. Environmental design. Applicants are encouraged to use green building technologies and materials, wherever possible, to limit environmental impacts.

9. Large Retail Development Standards

Any development with 15,000 square feet or more of retail use shall meet the following in addition to subsections (a) through (g) of Section N(8) above.

- a. Articulation, exterior materials and patterns. A building with a facade of 100 feet or more in linear length shall incorporate wall projections or recesses at least three feet in depth and a minimum of 20 contiguous feet within each 100 feet of facade length, and shall extend over 20 percent of the facade. Animating features such as arcades, display windows, entry areas, or awnings shall be used along at least 60 percent of the facade. Variation in materials, colors and textures is required. Blank walls are explicitly prohibited.
- b. Windows. Windows must be at least 40 percent of the length and 20 percent of the ground level wall area. Ground level walls include all exterior wall areas up to 9 feet above the finished grade. In a development with more than one retail establishment, each served by a separate building entrance, the ground level façade of such stores shall be transparent between the height of three feet and eight feet above the walkway grade for no less than 60 percent of the horizontal length of the building façade.
- c. Roof. Roof lines shall be varied with a change in height every 100 linear feet in the building length. Parapets, mansard roofs, gable roofs, hip roofs, or dormers shall be used to conceal roof top equipment. The Planning Board may accept alternating lengths and designs where appropriate.
- d. Outdoor amenities. Retail developments shall provide outdoor spaces and amenities such as a patio/seating area, pedestrian plaza with benches, kiosk area, play areas.
- e. Architectural focal points. Each principal building on a site shall have clearly defined, highly visible customer entrances featuring no less than three of the following:
 - 1) Canopies or porticos
 - 2) Overhangs
 - 3) Recesses/projections
 - 4) Arcades
 - 5) Raised corniced parapets over the door
 - 6) Peaked roof forms

- 7) Arches
 - 8) Outdoor patios
 - 9) Display windows
 - 10) Architectural details such as tile work and moldings which are integrated into the building structure and design
 - 11) Planters or wing walls that incorporate landscaped areas and/or places for sitting
- f. Landscaping. Visual relief from buildings and hard materials shall be accomplished with landscape treatments such as shrubs, trees, flower boxes and other greenery around buildings.

Part II: Amend Section II, Definitions by adding the following definitions in alphabetical order:

IMPERVIOUS COVERAGE, MAXIMUM: The maximum percentage of a lot that may be covered by impervious surfaces. “Impervious surfaces” include but are not limited to the principal building and accessory structures on the lot, paved driveways or access roads, parking areas, sidewalks, tennis courts, in-ground swimming pools, and any other elements rendering any portion of a lot impervious.

MANUFACTURING AND ACCESSORY RETAIL: Manufacturing facilities located on the same site with a primary retail outlet for one or more products manufactured on premises, provided that retail sales shall be limited to the product or products manufactured on site and any directly related items or services.

Part III: Amend Section VI, Table I by inserting a new footnote 30 next to the following use:

Adult bookstore, adult motion picture theater, adult paraphernalia store, adult video store, or establishment which displays live nudity for its patrons

and insert the following footnote to Footnotes to Table I:

(30) Prohibited in the Commercial Business District in that portion which lies within the Route 20 Overlay District.